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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/812,483	03/19/2001	Robert Sweetland	XXT-054	1639
7590	12/16/2004		EXAMINER	LAMB, TWYLER MARIE
Patrick R Roche Fay Sharpe Fagan Minnich & McKee LLP 1100 Superior Avenue 7th Floor Cleveland, OH 44114-2518			ART UNIT	PAPER NUMBER
2622				
DATE MAILED: 12/16/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/812,483	SWEETLAND ET AL.	
	Examiner Twyler M. Lamb	Art Unit 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 19 March 2001.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-24 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-24 are rejected under 35 U.S.C. 102(e) as being anticipated by Johnson et al. (Johnson) (US 6,351,547).

With regard to claims 1 and 18, Johnson discloses a method of processing an electronic image from an electronic device (Figure 1, ultrasound imaging system) having a display (display monitor 18) that is visible to a user (col 8, lines 21-30), the method comprising the steps of: selecting one or more property options from one or more image forming devices from the display to create one or more imaging formats of the electronic image (col 8, lines 21-44); and generating the one or more imaging formats of the

Art Unit: 2622

electronic image on the image forming devices in response to a selected command (col 8, lines 21-44).

With regard to claims 2 and 19, Johnson also discloses further comprising the step of, encapsulating the selected properties of the image forming device into a selected object (col 9, lines 4-32).

With regard to claims 3, 14 and 20, Johnson also discloses further comprising the step of, generating a visual representation of the selected object on the display, wherein selection of the visual representation initiates the generation of the one or more imaging formats of the electronic image on the image forming device (col 9, lines 4-60).

With regard to claims 4, 11 and 21, Johnson also discloses wherein the image forming device comprises one of a printer, a copier and a facsimile machine (printing devices 28, col 8, lines 1-4).

With regard to claim 5, Johnson also discloses wherein the one or more property options of the image forming device comprises a stock selection, a color selection, and a quantity selection of each imaging format (See Figure 4, i.e. media type, and color).

With regard to claims 6 and 23, Johnson also discloses wherein the electronic image is an electronic document (col 11, lines 26-29).

With regard to claims 7 and 13, Johnson also discloses wherein the visual representation is a button on a toolbar (col 9, lines 4-60).

With regard to claim 8, Johnson discloses an image reproducing system (Figure 1, ultrasound imaging system), comprising: an image forming device (printers 28); an input device (operator interface 22); an image host device having a display (display

Art Unit: 2622

monitor 18); and an image control facility (control platform 32) for configuring the one or more image forming devices for generating one or more depictions of an image from the image host device when an image reproducing command is selected (col 8, lines 21-44).

With regard to claim 9, Johnson also discloses wherein the control facility resides in the image forming device (col 8, lines 1-12).

With regard to claim 10, Johnson also discloses wherein the control facility resides in the image host device (col 8, lines 13-20).

With regard to claim 12, Johnson also discloses wherein the image is a collection of characters that has been given a unique filename (col 10, lines 51-61).

With regard to claim 15, Johnson also discloses wherein the one or more visual representations of the one or more image forming devices are one or more visual representations of an object that encapsulates attributes of the one or more image forming device property configurations to generate multiple imaging formats of an image from the image host device (col 9, lines 4-60)..

With regard to claim 16, Johnson also discloses further comprising a drag and drop facility for supporting the dragging and dropping of the selected visual representation of the imaging control facility library, by the user device (col 9, lines 49-60).

With regard to claim 17, Johnson also discloses wherein the imaging control facility configures the one or more image forming devices to generate the one or more

Art Unit: 2622

depictions of the image from the image host device in response to a drag and drop of the selected visual representation (col 9, lines 49-60).

With regard to claim 22, Johnson also discloses wherein the host device has a microprocessor (host computer 20).

With regard to claim 24, Johnson also discloses wherein the visual representation comprises one of a button and an icon (col 9, lines 49-60).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Twyler M. Lamb whose telephone number is 703-308-8823. The examiner can normally be reached on M-Thurs 6:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Twyler M. Lamb
Primary Examiner
Art Unit 2622